

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-43 are pending in this application.

Claims 7 and 15 have been withdrawn from consideration. Claim 7 depends from claim 1 and thus should be rejoined upon the allowance of claim 1. Applicant further submits that claim 14 is generic with respect to at least claim 15 and thus claim 15 should be rejoined upon the allowance of claim 14. Of new claims 27-43, at least claims 27 and 29-43 are believed to be directed to the elected invention. For reasons similar to claim 15, claim 28 should be joined into the present application upon the allowance of at least claim 27 which is believed to be generic thereto.

Rejection Under 35 U.S.C. §112:

Claims 5 and 9-11 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the Office Action alleged that claim 5 appears to have repetitive language. While Applicant respectfully disagrees, claim 5 has been editorially amended to clarify that this claim does not have repetitive language. In particular, claim 5 has been editorially amended to identify non-repetitive parts (i) and (ii). With respect to claims 9-11, the limitation “number of points” has a sufficient antecedent basis.

Applicant therefore respectfully requests that the rejection of claims 5 and 9-11 under 35 U.S.C. §112, second paragraph, be withdrawn.

NAKATSUKA et al.
Application No. 09/986,771
September 27, 2004

Rejection Under 35 U.S.C. §101:

Claims 14-25 were rejected under 35 U.S.C. §101 because the claimed invention allegedly is directed to non-statutory subject matter. In particular, the Office Action held that “Applicant has claimed a program, which is a mere manipulation of abstract ideas.” By this Amendment, claims 14-25 have been revised to require a method. Applicant submits that claims 14-25 are therefore in full conformance with 35 U.S.C. §101. Applicant respectfully requests that the rejection of claims 14-25 under 35 U.S.C. §101 be withdrawn.

Claims 27-38 contain steps similar to those recited in claims 14-25, respectively, but are directed toward a program storage device readable by a game machine, tangibly embodying a program of instructions executable by the game machine to perform method steps. Applicant submits that claims 27-38 are directed to statutory subject matter under 35 U.S.C. §101.

Rejection Under 35 U.S.C. §102:

Claims 1-6, 8-11, 12-14 and 16-26 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Sonoda (U.S. ‘850). Applicant respectfully traverses this rejection.

Independent claim 1 requires, *inter alia*, “having, in response when the game is synchronously started, said display display information about the operation timings of said operation switches to be operated by the player based on

said operation timing data (emphasis added).” Independent claims 13-15 and 26 require a similar (but not necessarily identical) feature.

Sonoda fails to disclose or even suggest the above feature. For example, the display screens of Figs. 2A-2B show a fighting scene involving two characters. These screens display no information regarding the operation timings of switches to be operated by the player. There is no timing information, for example, shown in Figs. 2A-2B informing the player when to operate a switch or button to control the videogame character to kick, punch, use a weapon, etc.

Independent claim 1 further requires “correlation evaluation section for evaluating correlation in terms of game operation with said other game machines based on the data stored in said first operation timing storage section and said second operation timing storage section.” Independent claims 12-15 and 25-26 similarly require a correlation evaluation. Sonoda fails to disclose this further limitation. Sonoda’s fighting videogame characters are in direct competition with each other. There is no team work or cooperation whatsoever and thus there is no need to evaluate correlation of game operation, let alone evaluate correlation game operation based on operation timings.

By evaluating a correlation of game operation between game machines, present exemplary non-limiting embodiments may provide the enjoyment of allowing multi-players to obtain a higher score through successful teamwork.

NAKATSUKA et al.
Application No. 09/986,771
September 27, 2004

On the other hand, Sonoda's game system aims to increase the feasibility of player a competitive game between video game units with consideration of a conventional problem where some combinations of video game units cause the competitive game not to be played (see col. 2, ll. 29-64). Accordingly, Sonoda's game system does not operate under the assumption that a plurality of players would even find pleasure in obtaining a higher score through their teamwork. Game units in Sonoda's system are not required to evaluate correlation of game operation with other game units, and those skilled in the art would certainly not have been motivated to modify Sonoda to include such a feature.

The Office Action fails to mention the above noted features, let alone discuss them in detail. (See page 4 of the Office Action.) Regarding Sonoda, the Office Action alleges that "During competition conditions the game data will be synchronized between the game units to allow for proper game play" and game units "have determination means for awarded game points earned during game competition." Even if these allegations regarding Sonoda are true, these allegations clearly do not teach any of the above noted claim limitations.

Sonoda also fails to further disclose determination of whether operation timings are within a predetermined range as required (in various forms) by dependent claims 2-5 and 16-19.

NAKATSUKA et al.
Application No. 09/986,771
September 27, 2004

Accordingly, Applicant respectfully submits that claims 1-6, 8-11, 12-14 and 16-26 are not anticipated by Sonoda and therefore respectfully requests that the rejection of these claims under 35 U.S.C. §102(e) be withdrawn.

New Claims:

New claims 27-43 have been added to provide additional protection for the invention. As noted above, the steps listed in claims 27-38 generally resemble those in claims 14-25, respectively. Claim 39 depends from claim 1 and is therefore allowable for at least the reasons discussed above with respect to claim 1. Claims 40-43 require a determination of absolute time lag and a relative time lag. Applicant submits that new claims 27-43 are allowable.

NAKATSUKA et al.
Application No. 09/986,771
September 27, 2004

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Raymond Y. Mah
Reg. No. 41,426

RYM:sl
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4044
Facsimile: (703) 816-4100

Abstract

In a game played by a plurality of game machines through teamwork, an evaluation is performed according to the correlation among operation information obtained through communications with each of the game machines. A plurality of game machines communicate with one another to establish timing synchronization. After the game, input timings at which buttons are operated during the game are collected and then evaluated so as to determine an absolute and relative timing coincidence in a predetermined period (unison part). A predetermined number of points are added to its game score based on the evaluation.